

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

A.L.L. CONSTRUCTION, LLC, )  
                                )  
Plaintiff,                 )  
                                )  
v.                            )      Case No. 4:17-CV-02367-AGF  
                                )  
THE METROPOLITAN ST. LOUIS )  
SEWER DISTRICT, *et al.*,    )  
                                )  
Defendants.                )  
                                )

**STIPULATION FOR DISMISSAL AS TO DEFENDANT  
BATES UTILITY CO., INC..**

Plaintiff A.L.L. Construction, LLC, through its counsel of record, and Defendant Bates Utility Company, Inc., through its counsel or record, hereby stipulate that Plaintiff's First Amended Complaint as it relates to Defendant Bates Utility Company, Inc. and all claims and causes of action Plaintiff has asserted against Defendant Bates Utility Company, Inc. are hereby dismissed with prejudice. Each party will bear that party's own attorney's fees and court costs. All claims against the MSD Defendants remain pending at this time.

Respectfully submitted,

PLEBAN & PETRUSKA LAW, LLC

By: /s/ Lynette M. Petruska  
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**CERTIFICATE OF SERVICE**

The undersigned certifies that this document was filed through the electronic filing system and will be sent electronically to all counsel of record this 1<sup>st</sup> day of November, 2018.

/s/ Lynette M. Petruska